

CERTIFICATE OF TRANSMISSION/MAILING

Ref. No.: 12439-0035

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Erin Cowles
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/667,689
Applicant : Eslamy et al.
Filed : September 22, 2003
TC/A.U. : 3729
Examiner : Carl J. Arbes

Confirmation No. 9386

Docket No. : P93D2-US

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

To Whom It May Concern:

Listed on an attached Form PTO/SB/08A is information known to applicant(s). Applicants ask that the attached Form PTO/SB/08A be initialed and returned in accordance with MPEP §609. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

COMMONLY OWNED, RELATED U.S. PATENTS AND APPLICATIONS

Applicants note that citation numbers 1-11 in the attached listing are U.S. patents or applications that are commonly owned with the above-identified patent application and may contain subject matter that is related to the subject matter of the above-identified patent application. The Examiner's attention is therefore directed to the prosecution history of the foregoing related U.S. patent(s) and patent application(s) and prior art cited in these patent(s) and patent application(s); Applicants assume the Examiner has access to all of the prosecution history, including the cited prior art, of these patents(s) and patent application(s), but Applicants will provide copies of all or any part of the prosecution history of or prior art from any of these patent(s) or patent application(s) upon request.

- ☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- ☐ It is being filed within 3 months of the application filing date (other than the filing date of a continued prosecution application under §1.53(d)); or
 - ☐ It is being filed within 3 months of entry of a national stage; or
 - ☒ It is being filed before the mail date of the first Office Action on the merits; or
 - ☐ It is being filed before the mail date of the first Office Action after the filing of a request for continued examination under §1.114.
- ☐ 37 C.F.R. §1.97(c). If this statement is being filed three months after the filing date of a national application or entry of the national stage in an international application and the mailing date of a first Office action on the merits but before the mailing date of the earlier of a final office action, a notice of allowance, or an action that otherwise closes prosecution in the application, then:
- ☐ a statement as specified in §1.97(e) is provided below; or
 - ☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, but before payment of the issue fee, then:
- a statement as specified in §1.97(e) is provided below; and
 - a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

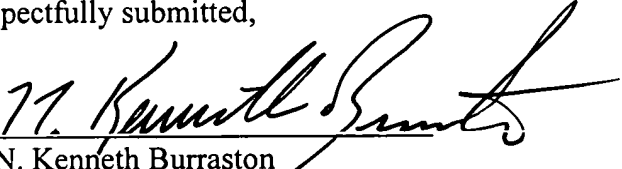
Fee:

- ☒ No fee is due.
- ☐ A check that includes \$ _____ for the above-identified fee(s) is enclosed.
- ☐ This statement is filed as one part of a multi-part submission. The fee for the complete submission was included in an electronically filed submission on __. Applicants request the foregoing fee be accepted for this statement. (See OG Notice dated 17 September 2002.)

Respectfully submitted,

Date: June 21, 2005

By


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Modified Form PTO/SB/08A

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete If Known

Sheet	1	of	1	Application Number	10/667,689
				Filing Date	September 22, 2003
				First Named Inventor	Eslamy et al.
				Group Art Unit	3729
				Examiner Name	Carl J. Arbes
				Attorney Docket No.	P93D2-US

U.S. PUBLISHED PATENT DOCUMENTS

Examiner Initials [*]	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant	Publ./Issue Date	Related [#]	Copy Enclosed
		Number	Kind Code ²				
	1.	2001/0054905		Khandros et al.	12/27/2001	x	No ^{***}
	2.	2003/0192176		Eldridge et al.	10/16/2003	x	No ^{***}
	3.	2004/0016119		Eldridge et al.	1/29/2004	x	No ^{***}
	4.	2004/0163252		Khandros et al.	8/26/2004	x	No ^{***}
	5.	2005/0035347		Khandros et al.	2/17/2005	x	No ^{***}
	6.	5806181		Khandros et al.	9/15/1998	x	No ^{***}
	7.	6640415		Eslamy et al.	11/4/2003	x	No ^{***}
	8.	6690185		Khandros et al.	2/10/2004	x	No ^{***}
	9.	6741085		Khandros et al.	5/25/2004	x	No ^{***}
	10.	6838893		Khandros et al.	1/4/2005	x	No ^{***}

U.S. UNPUBLISHED PATENT APPLICATIONS

Examiner Initials [*]	Cite No. ¹	Serial No.	Name of Applicant	Filing Date	Related [#]	Copy Enclosed
	11.	09/327,116	Eslamy et al.	6/7/1999	x	Yes

Examiner Signature	Date Considered
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

** Reference cited in parent application US Serial No. ___. 37 CFR § 1.98(d)

*** Pre-OG Notice By Deputy Commissioner Stephen G. Kunin dated July 11, 2003 waiving the requirement to file copies of US patent publications in applications filed after June 30, 2003.

& Notice dated October 19, 2004 by Deputy Commissioner for Patent Examination Policy waiving requirement to file copies of pending US patent applications if the applications are stored in the USPTO's IFW system.

Commonly owned US patent or application whose subject matter may be related to the subject matter of the instance patent application.



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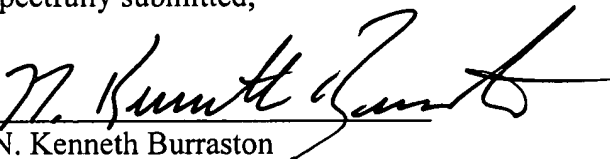
GENERAL AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

To Whom It May Concern:

Throughout prosecution of the above-identified patent application, and pursuant to 37 C.F.R. § 1.25(b), where no check is received by the Commissioner, Applicants authorize and request the Commissioner to charge all fees due at any time during the pendency of the above-identified application (or to credit any overpayment) to Deposit Account No. 50-0843, account name Kirton & McConkie (Order No. 12439-0035).

Respectfully submitted,

Date: June 21, 2005

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